

Official Meeting/Briefing Request for the RA or DRA

Has your Division Director been briefed on this subject, and is he/she aware of your request to set up this meeting? Yes x No

NOTE: A briefing sheet needs to accompany this meeting request

Date of Request: 12/09/2021

Requestor: Todd Russo / Jason Dressler

Phone No.: 2-9194 / 2-9208

Name of Meeting: New Indy Settlement

Purpose of Meeting: Brief the RA on a proposed settlement agreement with New Indy Containerboard (New Indy) in Catawba, South Carolina to resolve a Clean Air Act Section 303 Imminent and Substantial Endangerment Emergency Order.

Is the Meeting Date Sensitive? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Deadline Date: 12/23/2021	
Meeting Date/Time Preference #1	Date: 12/15/2021	Time: 1:00 PM
Meeting Date/Time Preference #2	Date: 12/15/2021	Time: 2:00 PM
Meeting Date/Time Preference #3	Date: 12/16/2021	Time: 11:00 AM

NOTE: All requested dates should be at least one week out. This request will be discussed on Friday.

Duration of Meeting: Unless otherwise indicated meetings will be scheduled for 45 minutes: 30 mins to present/15 mins Q&A

Do you need a conference number: Yes NO x

The meeting will be conducted virtually via Microsoft TEAMS.

Background:

The U.S. Department of Justice (DOJ) and the EPA are finalizing a settlement agreement with New Indy to resolve a Clean Air Act (CAA) 303 Imminent and Substantial Endangerment Emergency Order (303 Order). The EPA issued the 303 Order because we found that hydrogen sulfide (H₂S) emissions from the New Indy facility located in Catawba, South Carolina were above health-based levels. The 303 Order directs New Indy to keep H₂S emissions leaving the facility as measured at the fence line below the health-based levels established in the 303 Order. New Indy exceeded the limits of the 303 Order on multiple occasions, therefore, DOJ filed a lawsuit in the U.S. District Court, and they filed a proposed joint Consent Order to stay the case and require New Indy to continue to comply with the fence line monitoring and H₂S limits established in the 303 Order. The Court approved the stay and the Consent Order is effective until December 30, 2021.

Expectations from Meeting (Please be specific: Are you looking for a decision, guidance?)

If you are looking for a decision, give a date by when this decision must be made. 12/23/2021

ECAD and ORC need the RA to concur with a Consent Decree for New Indy by no later than December 23rd. He will need to get briefed regarding the New Indy matter and the settlement. We are in the final days of negotiations.

No. of Participants:	Names of Required Invitees:	Optional Invitees:
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(It is very important that the RA's office is aware of how many and whom...no surprises; i.e., we were told 2 staff members and 10 show up)	Carol Kemker Leif Palmer Suzanne Rubini Todd Russo Marirose Pratt Valerie Nowell Jason Dressler Denis Kler Larry Lamberth Keriema Newman Kevin Taylor Andrew Mills	
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Requested Meeting Location:

***Please email **final** slides, background documents etc., to **Felicia Williams, Brandy Hairston and Aaryn Jones 2-days prior to the scheduled meeting; failure to receive finalized documentation may cause your meeting to be rescheduled.** Your Power-point presentation (if any) will be loaded and ready for showing at the scheduled meeting. All slides and background information will be printed for the RA, DRA and the SA by the RA office. **For any critical issues that need to be elevated, please email Aaryn Jones.**